

UNITED STATES DISTRICT COURT

for the

United States of America
v.
ABRAHAM HURTADO-TREVINO
DOB: 1192

Case No. 7:19-MJ-1996

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 22, 2019 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

18 U.S.C. § 554

Offense Description

Attempted smuggling of goods from the United States contrary to law or regulation of the United States

18 U.S.C § 2

Aiding or abetting in an offense against the United States

This criminal complaint is based on these facts:

See Attachment "A"

☒ Continued on the attached sheet.

s/Kyle O'Neal

Complainant's signature

Kyle O'Neal, Special Agent - FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 8/25/19 @
12:56pm

City and state: McAllen, Texas


Judge's signature

Juan F. Alanis - United States Magistrate Judge

Printed name and title

Attachment "A"

Affidavit in Support of Complaint

I, Kyle O'Neal, being first duly sworn, state as follows:

Introduction

1. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI) and have been so employed since May of 2016. I am currently assigned to the San Antonio Division, McAllen office where I conduct a variety of investigations pertaining to gangs and violent crime. In the performance of my duties, I have investigated and assisted in the investigation of violent criminal organizations to include street gangs and home invasion crews. I have received training from the FBI pertaining to the investigation of such matters and have conferred with colleagues with extensive training and experience in the investigation of violent criminal organizations and firearms violations.

2. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter. Your affiant knows that it is: (1) a violation of Title 18 United States Code Section 554 to attempt to sell or facilitate the transport from the United States, any merchandise, article, or object contrary to any law or regulation of the United States, knowing the same to be intended for exportation contrary to any law or regulation of the United States; and (2) Title 18 United States Code Section 2 to aid or abet the commission of a crime against the United States.

3. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that violations of the offenses listed above have been committed by **Abraham HURTADO Trevino** (hereinafter "**HURTADO**").

Facts Supporting Probable Cause

4. On or about August 22, 2019, your Affiant and Investigators with the FBI conducted an operation in which an FBI confidential informant purchased an Anderson Mfg. AM-15 rifle, Serial Number 65510F18, from **HURTADO** and an associate for \$1,500 in cash in Pharr, Texas. No paperwork was provided by or signed by any individual involved in the transaction. The FBI confidential informant stated that **HURTADO** handed the rifle directly to the confidential informant. The FBI confidential informant also stated to handling agents that he informed **HURTADO** that he was purchasing the firearm to take to Mexico.

5. On August 23, 2019, FBI Special Agents and Task Force Officers made a warrantless arrest of **HURTADO** and transported him to the FBI office in McAllen, Texas. Your Affiant and FBI investigators conducted a custodial interview of **HURTADO** during which **HURTADO** waived his Miranda rights in writing. **HURTADO** admitted that he arranged for one of his friends to sell the FBI confidential informant a rifle on August 22, 2019. **HURTADO** stated that the transaction took place at **HURTADO's** grandmother's house at 6704 S Verano St, in Pharr, Texas, that he handled the rifle during the exchange, and that he was paid \$100 for facilitating the transaction. **HURTADO** stated that he was told by the confidential informant that the rifle was being purchased so it could be smuggled into Mexico and knowingly and willfully proceeded with facilitating the transaction with knowledge of the aforementioned information.

6. **HURTADO** admitted during the interview that he was aware that he was not able to own or possess a firearm because he did not have status to be in the United States legally. **HURTADO** also stated that he has previously facilitated the sale of firearms on multiple prior occasions.

Conclusion

7. As a result of the interview, investigators have probable cause to believe that **HURTADO** knowingly and willfully facilitated the illegal sale and export of weapons from the United States into Mexico.

8. Based on the aforementioned factual information, your Affiant respectfully submits that **HURTADO** did commit a violation of Title 18, United States Code, Section 554 and Title 18 United States Code, Section 2.

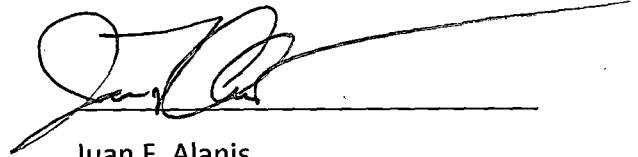
s/ Kyle O'Neal

Kyle O'Neal

Special Agent

Federal Bureau of Investigation

Sworn to and subscribed before me this 25th day of August, 2019.

A handwritten signature in black ink, appearing to read 'Juan F. Alanis', is written over a horizontal line.

Juan F. Alanis

United States Magistrate Judge